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\*Admitted only in Maryland \*Admitted only in Virginia •Practice Limited to Federal Agencies

July 14, 2004

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Art Unit 2183

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/815,742; Filed: April 2, 2004

For: System And Method For Retiring Approximately Simultaneously A Group Of Instructions In A Superscalar Microprocessor

Inventors:

WANG et al.

Our Ref:

SP038.C5 (1397.0140005)

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. PTO Fee Transmittal Form;
- 2. Second Preliminary Amendment Under 37 C.F.R. § 1.115;
- 3. PTO-2038 Credit Card Payment Form for \$856.00 to cover the additional claims fee; and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

07/15/2004 EABUBAK1 00000006 10815742

01 FC:1201 02 FC:1202 172.00 OP 684.00 OP Commissioner for Patents July 14, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERME, KISSLER, GOLDSTEIN & FOX P.L.L.C.

Thomas C. Fiala

Attorney for Applicants Registration No. 43,610

TCF/mjg Enclosures

| <b>O</b> . |  |                                 |  |                         |  |  |
|------------|--|---------------------------------|--|-------------------------|--|--|
| JUL '      | Unda We Paperwork Reduction Act of 199   | 5, no persons are required to r | PTO/SB/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE respond to a collection of information unless it displays a valid OMB control number. |                         |  |  |
| J. 2. 8    | FEE TRANS                                |                                 | Complete if Known  |                         |  |  |
|            | FEE IRANS                                | DIVILLIAL                       | Application Number   | 10/815,742              |  |  |
|            | for FY 2                                 |                                 | Filing Date  | April 2, 2004           |  |  |
|            | Effective 10/01/2003. Patent fees are su |                                 | First Named Inventor   | Johannes WANG           |  |  |
|            | <del></del>                              |                                 | Examiner Name  | To Be Assigned          |  |  |
|            | Applicant claims small entity status.    | See 37 CFR 1.27                 | Art Unit   | 2183                    |  |  |
| 1          | TOTAL AMOUNT OF PAYMENT                  | (\$) 856.00                     | Attorney Docket No.  | SP038.C5 (1397.0140005) |  |  |

|   |                             | Λίιυπ               | .0,   | <b></b>  |  |          |
|---|-----------------------------|---------------------|-------|----------|--|----------|
| METHOD OF PAYMENT (check all that apply)  | FEE CALCULATION (continued) |                     |       |          |  |          |
| Check X Credit card Money X Other** None  | 3. ADDITIONAL FEES          |                     |       |          |  |          |
| *Charge any deficiencies or credit any overpayments in  | Large I                     | Entity              | Small | Entity   |  |          |
| Deposit Account: the fees to Deposit Acct. No. 19-0036.   | Fee                         | Fee                 |       | Fee      | Fee Description  |          |
| Deposit Account 19-0036   | Code                        | • • •               | Code  |          |  | Fee Paid |
| Number<br>Deposit   | 1051                        | 130                 | 2051  |          | Surcharge - late filing fee or oath  |          |
| Account<br>Name Sterne, Kessler, Goldstein & Fox P.L.L.C.   | 1052                        | 50                  | 2052  |          | Surcharge - late provisional filing fee or cover sheet                     |          |
| The Director is authorized to: (check all that apply)   | 1053                        | 130                 | 1053  |          | Non-English specification  |          |
| Charge fee(s) indicated below Credit any overpayments   |                             | 2,520               | 1812  | -,       | For filing a request for ex parte reexamination                            |          |
| Charge any additional fee(s) or any underpayment of fee(s)  | 1804                        | 920*                | 1804  | 920*     | Requesting publication of SIR prior to<br>Examiner action                  |          |
| Charge fee(s) indicated below, except for the filing fee  | 1805                        | 1,840*              | 1805  | 1,840*   | Requesting publication of SIR after  |          |
| to the above-identified deposit account.  |                             |                     |       |          | Examiner action  |          |
| FEE CALCULATION   | 1251                        | 110                 | 2251  | 55       | Extension for reply within first month                                     |          |
| 1. BASIC FILING FEE   | 1252                        | 420                 | 2252  | 210      | Extension for reply within second month                                    |          |
| Large Entity Small Entity   | 1253                        | 950                 | 2253  | 475      | Extension for reply within third month                                     |          |
| Fee Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)  | 1254                        | 1,480               | 2254  | 740      | Extension for reply within fourth month                                    | -        |
| 1001 770 2001 385 Utility filing fee  | 1255                        | 2,010               | 2255  | 1,005    | Extension for reply within fifth month                                     |          |
| 1002 340 2002 170 Design filing fee   | 1401                        | 330                 | 2401  | 165      | Notice of Appeal   |          |
| 1003 530 2003 265 Plant filing fee  | 1402                        | 330                 | 2402  | 165      | Filing a brief in support of an appeal                                     |          |
| 1004 770 2004 385 Reissue filing fee  | 1403                        | 290                 | 2403  | 145      | Request for oral hearing   |          |
| 1005 160 2005 80 Provisional filing fee   | 1451                        | 1,510               | 1451  | 1,510    | Petition to institute a public use proceeding                              |          |
| SUBTOTAL (1) (\$)   | 1452                        | 110                 | 2452  | 55       | Petition to revive - unavoidable   |          |
|   | 1453                        | 1,330               | 2453  | 665      | Petition to revive - unintentional   |          |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from  | 1501                        | 1,330               | 2501  | 665      | Utility issue fee (or reissue)   |          |
| Extra Claims below Fee Paid   | 1502                        | 480                 | 2502  | 240      | Design issue fee   |          |
| Total Claims 58 -20 **= 38 X 18.00 = \$684.00   Independent   | 1503                        | 640                 | 2503  | 320      | Plant issue fee  |          |
| Claims  | 1460                        | 130                 | 1460  | 130      | Petitions to the Commissioner  |          |
| Multiple Dependent  | 1807                        | 50                  | 1807  | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| Large Entity   Small Entity Fee Fee   Fee Fee Fee Description   | 1806                        | 180                 | 1806  | 180      | Submission of Information Disclosure Stmt                                  |          |
| Code (\$) Code (\$)   | 8021                        | 40                  | 8021  | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1202 18 2202 9 Claims in excess of 20   | 1809                        | 770                 | 2809  | 385      | Filing a submission after final rejection                                  |          |
| 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid | 1810                        | 770                 | 2810  | 385      | (37 CFR 1.129(a))  For each additional invention to be                     |          |
| 1204 86 2204 43 ** Reissue independent claims   | 1310                        |                     | 2310  | 303      | examined (37 CFR 1.129(b))   |          |
| over original patent  | 1801                        | 770                 | 2801  | 385      | Request for Continued Examination (RCE)                                    |          |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent                                 | 1802                        | 900                 | 1802  | 900      | Request for expedited examination of a design application                  |          |
| SUBTOTAL (2) (\$) 856.00  | Other                       | Other fee (specify) |       |          |  |          |
| SUBTOTAL (2) (\$) 856.00 **or number previously paid, if greater; For Reissues, see above                 | *Redu                       | iced by             | Basic | Filing F | ee Paid SUBTOTAL (3)   |          |

| SUBMITTED BY      |                 |            | (Complete (if applicable))       |        |           |                |   |
|-------------------|-----------------|------------|----------------------------------|--------|-----------|----------------|---|
| Name (Print/Type) | Thomas C. Fiala | $\bigcirc$ | Registration No. (Attomey/Agent) | 43,610 | Telephone | (202) 371-2600 | Ī |
| Signature         | 1 Comme         | En         |                                  |        | Date      | 7/14/09        |   |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WANG et al.

Appl. No.: 10/815,742

Filed: April 2, 2004

For: System And Method For Retiring

Approximately Simultaneously A Group Of

**Instructions In A Superscalar** 

Microprocessor

Confirmation No.: 1558

Art Unit: 2183

Examiner: To Be Assigned

Atty. Docket: SP038.C5 (1397.0140005)

## Second Preliminary Amendment Under 37 C.F.R. § 1.115

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In advance of prosecution, and in addition to the Preliminary Amendment filed on April 2, 2004, Applicants submit the following amendments and remarks. This Second Preliminary Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, amendments to the specification by presenting replacement paragraphs marked up to show changes made:
- (C) Starting on a separate sheet, a complete listing of all of the claims:
  - in ascending order;
  - with status identifiers; and
  - with markings in the currently amended claims;
- (D) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent

abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.